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In re Application of
Robert S. Block et al
Application No. 10/091,140
Filed: March 6, 2002
For: BUSINESS ANALYSIS TOOL

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:
: DECISION ON PETITION
: TO WITHDRAW THE
: HOLDING OF ABANDONMENT

This is in reply to applicants' petition to withdraw the holding of abandonment under 37 CFR 1.181(a) filed in the United States Patent and Trademark Office (USPTO) on February 28, 2005.

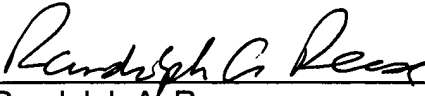
The petition is **GRANTED**.

A review of the application file reveals that a Final Office action was mailed to applicants on January 29, 2004. A Notice of Appeal was received on June 29, 2004 with a request and payment for an extension of time. A Notice of Abandonment was mailed on December 30, 2004. However, applicants filed a Request for Continued Examination (RCE) and paid the five-month extension of time fee on January 31, 2005.

In the petition applicants argue that the application was prematurely held to be abandoned, since a five-month extension of time would have extended applicants' time in which to file an appeal brief or RCE to January 31, 2005.

Since the application was prematurely held to be abandoned, applicants' petition to withdraw the holding of abandonment is granted.

The application is being forwarded to the Supervisory Legal Instruments to withdraw the holding of abandonment and restore the application to pending status, enter the RCE and forward the application to the examiner for action.


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RAR/jwk: 7/7/05